

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

TACOMA DANIELS,

Plaintiff,

v.

JOSE VARELA, et al.,

Defendants.

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Civil Action No. 19-10623-DJC

ORDER

CASPER, J.

May 14, 2019

1. The Court grants Plaintiff's motion to proceed *in forma pauperis*, D. 2. Pursuant to 28 U.S.C. §1915(b)(1), the Court assesses an initial partial filing fee of \$6.93. The remainder of the fee, \$343.07, shall be collected in accordance with 28 U.S.C. §1915(b)(2). The Clerk shall send a copy of this order to the treasurer of the institution with custody of Plaintiff;

2. The Clerk shall issue summonses for service of the complaint and shall send the summonses, a copy of the complaint, and this Order to the Plaintiff, who must serve the Defendants with these documents in accordance with Federal Rule of Civil Procedure 4(m). The Plaintiff may elect to have service made by the United States Marshals Service. If directed by the Plaintiff to do so, the United States Marshals Service shall serve the above-referenced documents and this Order upon the Defendants, in the manner directed by the Plaintiff, with all costs of service to be advanced by the United States. Notwithstanding this Order to the United States Marshals Service, it remains Plaintiff's responsibility to provide the United States Marshals Service with all

necessary paperwork and service information. Notwithstanding Fed. R. Civ. P. 4(m) and Local Rule 4.1, the Plaintiff shall have 90 days from the date of this Order to complete service;

3. The Court denies without prejudice Plaintiff's motion to appoint counsel, D. 3. At this early stage of litigation, the Court cannot yet determine whether this case presents exceptional circumstances that would justify the appointment of *pro bono* counsel. Plaintiff may file a renewed motion after the Defendants have been served with and responded to the complaint;

4. The Court denies Plaintiff's motion to appoint special process server, D. 4;

5. The Court shall hold Plaintiff's motion for order to preserve video surveillance evidence, D. 8, until this motion has been served on Defendants with the complaint and a copy of this Order. Defendants will then have two weeks from the date of service to respond to this motion.

So Ordered.

/s/ Denise J. Casper
Denise J. Casper
United States District Judge